

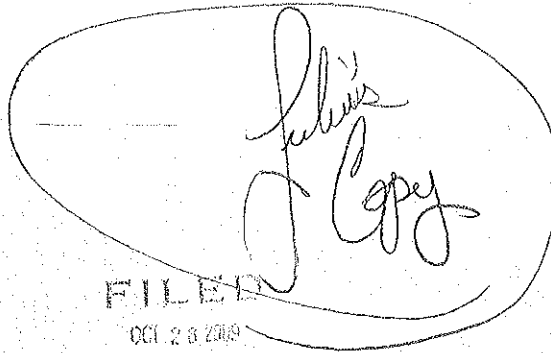
Annabel Melongo v. ASA Robert Podlasek, et al.

13 C 4924

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Exhibit C

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER



STATE OF ILLINOIS)

) ss

COUNTY OF COOK)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CRIMINAL DIVISION

DOROTHY BRADY
CLERK OF CIRCUIT COURT

PEOPLE OF THE STATE OF ILLINOIS,)

) Plaintiff,)

) v.)

No. 08 CR-10502

) ANNABEL K. MELONGO)

) Defendant.)

MOTION TO DISMISS INDICTMENT

COMES NOW the defendant, ANNABEL K. MELONGO, Pro Se, and respectfully moves this court to dismiss the indictment in violation of section 114-1.(a)(12) and 114-1.(a)(13) of the Code of Criminal Procedure of 1963. In support of this motion the Defendant states as follows:

1. The Code Of Criminal Procedure of 1963 section 114-1 states: " Upon the written motion of the defendant made prior to trial before or after a plea has been entered the court may dismiss the indictment, information or complaint upon any of the following grounds:

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(12) The knowing use of or the failure to correct perjury given at the grand jury that returned an indictment.

(13) The failure of the State's Attorney to inform the grand jury of the existence of evidence exculpatory to the accused when the existence of that evidence is known to the State."

2. Detective William Martin Star 29, Schiller Park Police Department committed SIX counts of perjuries in violation of section 114-1.(a)(12) of the Code Of Criminal Procedure. Under oath, Detective Martin made the following statements that he knew were not true:

1. In the May, 2008 Indictment, page 5 lines 18 - 24 and page 6 lines 1 - 7, this exchange is as followed:

" Q: During your conversations with her did you learn she as a president and owner of the foundation hired an individual named Annabel K. Melongo from Robert Half Temporary Agency?

A. That's correct, yes.

Q: Did Save a Life eventually hire the Defendant Melongo as a full-time employee?

A. Yes, they did.

Q: Sometime in April of 2006 and prior to April 28th, was Ms. Melongo terminated by Save a Life Foundation?

A. Yes, she was.

Q: Do you know why she was terminated?

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A: Not off the top of my head, no. "

Detective Martin KNEW the Defendant was NEVER an employee at Save a Life Foundation. In his own notes, hereto attached as exhibit 'A', the fourth line from the bottom states 'R/o contacted Robert Hall International in an attempt to obtain personal information on Melongo birthdate, last known address and telephone number. Customer service informed R/o that a written request would need to be faxed over and then after 12 hours, they would provide such information". Attached Exhibit 'B' further shows the information received from Robert Hall Technology. It's therefore surprising that Detective Martin in the above exchange witness to the contrary. If he knew the defendant was an employee at Save a Life foundation, why didn't he ask my employee's file to Carol Spizziri? Who, in a letter to the IRS, attached exhibit 'C', clearly confirms that the defendant's wasn't her employee. Furthermore in exhibit 'A', the 3rd line from the top, Detective Martin made the following remarks ' On Thursday, 27 D6, Spizziri, president and Founder of Save A Life Foundation, fired the above listed employee / suspect Annabel Melongo for performance and attitude problems.' However during the indictment, Detective Martin stated he didn't know the reasons of the defendant's termination. In the January, 2007 indictment page 5, lines 5 - 9, attached a exhibit 'D', while ALSO under oath, Detective Martin said:

" Q: And do you know why she was terminated based on your investigation?

A: Because she was accused of stealing e-mail from the president's e-mail account and also intruding into their computer servers and deleting several files."

It seems every times Detective Martin is under oath, he has a different version of the defendant's termination.

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11. Another perjury account is in page 8, lines 15 – 24, of the May, 2008 indictment. Here's the exchange:

Q. These experts that were hired by Save a Life, did your investigation reveal that they were able to trace the individual responsible for intruding on the system?

A. Yes.

Q. And this was done by tracing the actual intrusion by back stepping it?

A. Yes. They went into the server log which kept track of every single computer that accessed the server and using those logs and an IP address search we tracked it back to Ms. Melongo's computer."

There was NO EXPERTS hired. Save a Life created a bogus Gmail account, hereto attached as exhibit 'E'. The sender's email was 'tsupport@gmail.com', the email in question was just a copy and paste of lines resembling those of a server. As far as common knowledge goes, Gmail isn't a log tracer, but a free email server owned by Google and in that capacity, can't possibly be used to determine log entries in companies' servers!!! The fact that the sender used a Gmail account, instead of a corporate email account, denote s/he certainly didn't want to reveal himself/herself since at the very bottom of that email is a statement 'This e-mail account is only used for testing purposes. It is not checked regularly. Please do not e-mail replies here. They will not receive a response.' This is certainly a strange signature by some experts hired to provide service!!! Unless they really have a BAD customer service.

3. The state furthermore violated section 114-1.(a)(13) of the Code of Criminal Procedure of 1965 in the following manner:

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a. In the May, 2008 indictment, in page 7, lines 8 -- 9, it failed to mention the fact that files WERE NOT deleted. The scenario was that some people in the company were able to access files, while some other people couldn't access the EXACT files. This is not only confirmed by numerous Save a Life Foundation employees, but also, the first computer expert, Brian Salerno, in his email's exchange with Carol Spizziri, hereto attached as exhibit 'F', stated 'The permissions are clearly the obstacle now -- given the fact that some people can see the data and some can't.' Although the state knew of this email, through Carol Spizziri and various employees to whom it was forwarded to, it nevertheless failed to mention it during the Grand Jury, which would have clearly exculpated the defendant.

b. The other violation occurs in page 13, lines 12 -- 23, of the May, 2008 indictment. Here's the exchange:

" Q: During your investigation were you able to determine from what location Ms. Melongo accessed the computer on both April 28th of 2006 and May 1st of 2006?

A: Yes. It was a Comcast IP address that was billed to and was assigned to the modem at Ms. Melongo's address in Palatine.

Q: The data that was deleted from accessing the original servers, not the e-mail accounts now but the servers, that was permanently deleted; is that correct?

A: Yes. "

Not only does Detective Martin commits two accounts of perjury, in that he stated he was able to determine where the defendant's accessed her computer on April 28th and May 1st but also

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that the data was PERMANENTLY deleted. Going back to exhibit 'A', line 6th from the bottom, the same detective Martin stated that 90% of the data was recovered. Moreover the Comcast's subpoena's response, attached exhibit 'G', concluded that no data was found regarding the defendant's online experience in April 28th and May 1st, 2006. In addition to the perjuries, the state failed to tell the Grand Jury about Andiea Smith who accessed, deleted and used Save a Life's credit card. The June subpoena to Comcast, hereto attached as exhibit 'G', and Comcast's response, attached as exhibit 'H', all testified to that. Also exculpatory would have been the fact that the state didn't tell the Grand Jury that when the same subpoena was issued in regard to the defendant, attached as exhibit 'H', Comcast didn't have any evidence on the defendant, exhibit 'G'.

WHEREFORE, in view of the ABUNDANCE of evidence showing violations of sections 114-1.(a) (12) and 114-1.(a)(13) of the Code of Criminal Procedure of 1963, the defendant asks this court to dismiss the indictment and to FINALLY show a sense of INTEGRITY, JUSTICE, HONOR in a case that for 3 years and 7 months has wandered in contradictions, surprises, back-room deals and resulted in a COMPLETE denial of due process to the defendant.

Respectfully submitted,


ANNABEL K. MELONGO, Pros Se

ANNABEL K. MELONGO
Pros Se Defendant
9200C HAMILTON COURT
DES PLAINES, ILLINOIS 60016
630/220-4132

612-230

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Message

Page 1 of 1

Carol Spizziri

Subject: FW: Follow Up

312 616 8200.

Sincerely,

Steve Kass

Steve Kass
District Director
Robert Half International
205 North Michigan Avenue
Suite 3301
Chicago, IL 60601
steve.kass@rhi.com

Fax: 847 719 4016

312.616.0035

888.744.9202 CUSTOM SERVICE

MICHELLE

10 AUG - 05 - 31 MAR 06 → DATES of Employment

NEED A FIXED REQUEST

OF LKA AND BIRTHDATE INFO

FROM INVEST. OFC.

TURN AROUND TIME IS 72 HOURS.

ANNABEL MELONGO

Exhibit 'B'

FOR STY
EASIN

NJ
JTB
PAUL WARE

6

5/5/2006

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Carol J. Spitzfrel
Founder / President

SA LF

Save A Life Foundation

National Headquarters

9750 W. Lakeside Avenue, Ste. 100
Evanston, IL 60201-4116
Tel: (847) 944-7543
Fax: (847) 978-0954
Toll Free: (800) 883-6249
Website: www.salf.org

April 16, 2007

Internal Revenue Service
P. O. Box 9019
Holtsville NY 11742-9019

RE: 0135771673 Letter Number LTR0063C

Dear Sirs:

We are in receipt of your letter dated April 10th, 2007 requesting tax forms for Annabel Malongo. Annabel was a temporary employee of Robert Half International therefore, we do not have any tax forms for her. Also please note that we believe this is an attempt from her for retaliation against Save A Life Foundation, Inc. due to a pending criminal case against Annabel for computer tampering and credit card fraud. We have attached copies of the police reports for the pending criminal charges.

If you have any questions or require additional information please call 847-928-9683.

Sincerely,

Linda B. Reyna
Director of Accounting & Administration

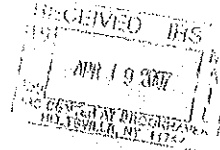


Exhibit C

~~CONFIDENTIAL~~

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5

1 Q. Okay. Some time in April of 2006, prior to
2 April 30th, was Miss Melongo terminated by Save A Life
3 Foundation?

4 A. Yes, she was.

5 Q. And do you know why she was terminated based on
6 your investigation?

7 A. Because she was accused of stealing e-mail from
8 the president's e-mail account and also intruding into
9 chat computer servers and deleting several files.

10 Q. Now, following her termination, as part of your
11 investigation, did you meet with experts hired by Save A
12 Life after they had realized their computers had been
13 accessed from outside or intruded upon from the outside?

14 A. Yes, I did.

15 Q. And did that investigation then reveal that
16 someone had accessed the servers for Save A Life?

17 A. Yes, it did.

18 Q. And during this accessing of the servers, were
19 files delete or destroyed?

20 A. Several, yes.

21 Q. And did the computers, one of the computer
22 servers actually crash?

23 A. Correct.

24 Q. And just for the record, could you explain when I

Exhibit 10

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Carol Spizziri

From: Technical Support (tsupport@gmail.com)
 Sent: Thursday, May 04, 2006 9:41 PM
 To: Carol Spizziri
 Subject: Re: FW: Regarding the prior email.

Looking for the IP address of the IT person from the mail log on the server

```
bash-2.05b$ grep 24.15.202.102 /var/log/exim_mainlog (6 mail(s) )
2006-05-01 20:31:40 1Fajjo-000280-Eb <= cspizziri@self.org 0=ftpsaif
P=local S=6270 id=4849.24.15.202.102.1146533500.squirrel@self.org
2006-05-01 23:01:31 1Fam4o-000785-03 <= cspizziri@self.org 0=ftpsaif
P=local S=4221 id=2431.24.15.202.102.1146542490.squirrel@self.org
Completed
```

This is the actual record showing her sending the email FROM Carol's email address to her own Yahoo based email address. Note the IP in the log...

```
bash-2.05b$ grep 1Fajjo-000280-Eb /var/log/exim_mainlog
2006-05-01 20:31:40 1Fajjo-000280-Eb <= cspizziri@self.org 0=ftpsaif
P=local S=6270 id=4849.24.15.202.102.1146533500.squirrel@self.org
2006-05-01 20:31:41 1Fajjo-000280-Eb <= melongo.annabel@yahoo.com
P=lookuphost T=remote smtp H=mx2.mail.yahoo.com [67.29.113.70]
2006-05-01 20:31:41 1Fajjo-000280-Eb Completed
```

Again second message going from Carol's address to her Yahoo Email Address:

```
2006-05-01 23:01:31 1Fam4o-000785-03 <= cspizziri@self.org 0=ftpsaif
P=local S=4221 id=2431.24.15.202.102.1146542490.squirrel@self.org
2006-05-01 23:01:35 1Fam4o-000785-03 <= melongo.annabel@yahoo.com
P=lookuphost T=remote smtp H=mx2.mail.yahoo.com [67.29.113.72]
2006-05-01 23:01:35 1Fam4o-000785-03 Completed
```

On 5/4/06, Carol Spizziri (cspizziri@self.org) wrote:

```
>
>
> -----Original Message-----
> From: Christian B. Sosa (csb@self.org)
> Sent: Monday, May 01, 2006 11:31 AM
> To: Carol Spizziri
> Cc: darcetm@self.org; vca@self.org; Brian A. Bolero
> Subject: Regarding the prior email...
>
> Carol,
```

```
>
> I noticed that you weren't actually included in the caption, if at all, of the
> following email, which may explain the cryptic voice mail you might have
> already heard from me.
```

```
>
>
>
>
> On May 1, 2006, at 3:17 PM, Melongo Annabel wrote:
```

Exhibit 'C'

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> Hey Carol,
> I've received this email forwarded to me and I can't imagine what a
> pathological liar you're. I've learned about your issue today and I offered
> my help because while working there, I got the same issue. The problem with
> you Carol, you lie too much just to get what you want. I do hope that you're
> still going to have your trial with Robert Half, I will expose you.

> From: Carol Spizziri [mailto:ospizziri@aol.com]
> Sent: Monday, May 01, 2006 6:04 PM
> Subject: RE: downed system

> Think we found who -
> Annabell called me and stepped in there - left message on my cell offering
> to fix our problem. Very similar to former IT who corrupted system. Have not
> spoke with her - she refused to speak with Christian - go figure!
> It's such for your followthrough - we are so behind it hurts.

> From my initial observation the link in this email to your email address
> leaves a interesting bread-crumbs. It links to the cpanel interface.

> [http://www.half.org:2095/1rdparty/squirrelmail/era/compose.php?send_to=ospizziri@
> aol.com]

> This leads me to believe she was connecting through the webmail interface. I
> will be reviewing all access logs and changing passwords tonight. As soon as
> I have more information to report you will be the first to know.

> I had assumed that she only had the vaf.org and parkymedic.org in response
> to this I changed the root passwords on all accounts. This will not affect
> your or others email. I find it highly unlikely that someone actually
> forwarded anything to her and will be investigating further.

> Sorry you're being put through all this. I will do my best to protect your
> interests.

> Sincerely,
> Christian

> ps -
> following is the entire email with all headers and raw code:

> -----

> Return-path: <aolongu.annabell@yahoo.com>

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> want. I do hope that you're still going to have your trial with Robert Hall.
> I will expose you.</div><div><hr/></div><div>From: Carol Spiziziri
> [mailto:CA
> href="http://www.self.org:2695/3rdparty/requiremail/emo/compose.php?send_to=spiziri@
> self.org&spiziri@self.org"]</div>
> <RR>Sent: Monday, May 01, 2006 6:04 PM<RR>Subject: RE: Downed
> system<RR><RR>Think we found who -<RR>Annabell called us and stopped in
> there - left message on my cell offering<RR> fix our problem. Very similar
> to former IT who corrupted system. Have not<RR> spoke with her - she refused
> to speak with Christian - go figure!<RR>Thanks much for your followthrough - we
> are so behind it hurts.<RR><RR></div>
> --0-1279636505-1146532663=28878--
>
>
>
>

This e-mail account is only used for testing
purposes. It is not checked regularly. Please do
not e-mail replies here. They will not receive
a response.

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Page 1 of 4

shontay grant

From: <spizzini@sal.org>
To: <melongo_annabel@yahoo.com>
Sent: Monday, May 01, 2006 7:31 PM
Subject: [Fwd: RE: downed system]

----- Original Message -----
Subject: RE: downed system
From: "Brian J. Salerno" <Brian.Salerno@True-Consult.com>
Date: Mon, May 1, 2006 7:58 pm
To: "Carol Spizzini" <spizzini@sal.org>

Wow.....and still wow. Why doesn't she just mail in a confession.

Sorry for how far behind you are. The permissions are clearly the obstacle now--given the fact that some people can see the data and some can't. I'll talk to Don tomorrow and figure out our game plan for it.

Thanks for the follow up.....still, wow.

Brian.

-----Original Message-----
From: Carol Spizzini [mailto:spizzini@sal.org]
Sent: Monday, May 01, 2006 6:04 PM
To: Brian Salerno
Subject: RE: downed system

Think we found who - Annabell called x4 and stopped in three - left message on my cell offering to fix our problem. Very similar to former IT who corrupted system. Have not spoke with her - she refused to speak with Christian - go figure! Thanks much for your followthrough - we are so behind it hurts.

-----Original Message-----
From: Brian Salerno [mailto:brian.salerno@true-consult.com]
Sent: Saturday, April 29, 2006 2:22 PM
To: carol
Subject: RE: quick update from John Reeg

Thanks carol...we will put everything back later, once we recover the data. For now, we need to just use a box that we know is clean--free of any admin issues.

Thanks Carol,
Brian.

Sent with Wireless Sync from Verizon Wireless

----- Original Message -----
From: "carol" <spizzini@sal.org>

1/2/2007

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Page 2 of 4

Date: 4/29/06 10:18 am
To: "Brian Salerno" <brian.salerno@true-consult.com>
Subj: RE: quick update from John Reeg
Just an FYI - the DELL server they are moving everything to - never had anything on - we need for the SCANTRON system-web- that Sony they cleaning off - is our back up server - there are two servers - one smaller Dell - one not - that holds daily word - the Sony is only backup at night and holds everything - that is at least what its supost to do, everything should go back on Sony once everything is recovered - let me know. Carol
Sent from my BlackBerry wireless device from U.S. Cellular

-----Original Message-----
From: "Brian J. Salerno" <Brian.Salerno@True-Consult.com>
Date: Sat, 29 Apr 2006 09:06:02
To: "Carol" <espizzini@saff.org>
Subject: RE: quick update from John Reeg

No problem Carol--sorry that I couldn't be there. My wife is a committee member for the Infant Welfare Society and their big event is today, so she was setting up all last night. My apologies for what happened. I'm not sure what happened, but it doesn't sound like the data is at risk. Data is lost b/c of something malicious--a virus, a data erase sweep, etc.

I still can't get a hold of Don Peters, but I called a firm called Midwest Data Recovery who is calling me back to set up a time to get into SALT this morning. I talked to Vince who is going to be there soon, and Christian and I will be there also. They have a Disc Recovery system and a Raid (backup) recovery system...and they have a policy of No Data, No Charge. But I'm sure that between the backup and disc, we'll get this done today. The good news is that the guys rebuilt another Server last night which will be stable moving forward that we can move all the data to.

Thanks for the note. We'll give you updates later today.

Brian.

-----Original Message-----
From: carol [mailto:espizzini@saff.org]
Sent: Saturday, April 29, 2006 8:05 AM
To: Brian Salerno
Subject: Re: quick update from John Reeg

Thks you for all your help last evening especially for you're concern and follow through. Carol
Sent from my BlackBerry wireless device from U.S. Cellular

-----Original Message-----
From: "Brian J. Salerno" <Brian.Salerno@True-Consult.com>
Date: Thu, 27 Apr 2006 15:39:46
To: "Carol Spizzini" <espizzini@saff.org>, "Vince Davis" <vdavis@saff.org>

1/9/2007

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Page 3 of 9

Subject: quick update from John Reeg

Hello to both,

Quick note about John Reeg's session this morning at SALT.

He is comfortable being able to go back into the system and understanding all of the critical areas of application and data layers (in other words?getting back into the system and getting it fixed). He and Christian also spoke about passwords and are confident that they have everything that is needed moving forward.

Couple other quick points:

We'll push through the SQL Server proposal?let me know if you see anything glaringly wrong in it, but given the interface issues and the rework on the DB, we are basically looking at 6 months of work. we'll get that structured in a proposal for you for your legal issue, but I wanted to get that to you so that you know what to roughly expect. John, btw, is available to start on the project May 8th, so I'll get all of that to you by Monday in a proposal.

Finally, John said that the instructor issue that Annabelle is working on won't be difficult to fix. Per our conversation, it's just a scripting issue. But you are both correct in that it's not working right now and will take a special script to build to run it, fyi.

Hope this all makes sense. Call me with any questions. Thanks for spending time with John today, Vince. Carol, hope that central IL is treating you well.

Brian.

Brian J. Salerno

True Consulting, Inc.

700 Commerce Drive, Suite 500

Oak Brook, IL 60523

1/9/20

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CONFIDENTIAL

630.288.3590 Office

312.882.0102 Cell

Brian.Salemi@True-Consult.com; <mailto:Brian.Salemi@True-Consult.com>

www.true-consult.com

1/9/2007

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Jun 22 06 10:28a Schiller Park Police 047 671 9455 p.3

GRAND JURY SUBPOENA DUCES TECUM *June 2507* (2-81) CR 34A
 IN THE CIRCUIT COURT OF COOK COUNTY
 THE PEOPLE OF THE STATE OF ILLINOIS

U: Comcast IT Services
 650 Centeron Road
 Moorestown, New Jersey 08057
 856-317-7319 (fax)

GREETINGS:

WE COMMAND YOU, that all business and excuses being laid aside, you and each of your attend before the Grand Jury of our Circuit Court of Cook County, June 8, 2006 at 9:00 AM, at the Circuit Court House in Chicago, 26th and California Avenue, in said Cook County, to give evidence and the truth to speak concerning a certain complaint made before said Grand Jury, in a JOHN/JANE DOE INVESTIGATION and that you also diligently and carefully search for, and examine and inquire after and bring with you and produce at the time and place aforesaid.

Any and all records regarding the identity of the subscriber(s) or customer(s) associated with the use of the following on specified dates and times:

The below identified records and information for the Comcast Internet Services customer:

That made a payment to their account using Chase Bank Account #641934526 on May 22, 2006, in the amount of \$200.00

including, whether such records or other evidence are in electronic or other form, the following:

1. other name(s) associated with the customer's account;
2. address(es) including, email, mailing, residential, business or other contact information;
3. records of session times and durations;
4. length of services (including start dates) and types of services utilized;
5. subscriber number or identity, including user name(s) and screen name(s); and
6. billing records and the means and source of payment for such services (including any credit card, or bank account number)

Compliance with this subpoena may be made by tendering the aforesaid documents to Detective William Martin, Schiller Park Police Department, 9526 West Irving Park Road, Schiller Park, Illinois 60176-1984, 847/678-4794 (voice); 847/671-9389 (fax). You are not to disclose the existence of this request as such disclosure may impede the investigation and compromise the enforcement of the law. And this you will in no wise omit under penalty of the Law.

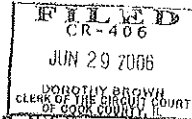
Witness, DOROTHY BROWN Clerk of our said Court,

And the Seal thereof, at Chicago, in said County,

DIRECT INQUIRIES **DOROTHY BROWN**

TO: **CLERK OF THE CIRCUIT COURT CRIMINAL DIVISION**

Thomas Byrne
 Assistant State's Attorney



FILED GRAND JURY

STATE OF ILLINOIS) SS.
 COOK COUNTY

JUN 29 2006

being duly sworn, an oath says that he served the within Writ by reading the same to the within named
 on the day of 2006, in said Court.

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07/13/2006 11:37 0563242071

SIWR344

PAGE 02/04

Comcast

CONFIDENTIAL

Comcast NE&TO
650 Chestnut Road
Bridgewater, NJ 08807
856 317-7214 Tel
856 317-7310 Fax

July 13, 2006

VIA FACSIMILE

Schiller Park Police Department
Attention: Detective William Martin
9526 West Irving Park Road
Schiller Park, IL 60176
FAX: (847) 671-2382

Re: Subpoena
Our File #: 1604354

Dear Mr. Martin:

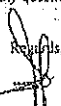
The Subpoena dated June 19, 2006 with respect to the above-referenced matter has been forwarded to me for a reply. The Subpoena requests Comcast to produce certain subscriber records pertaining to the following: Identify person who made a payment from a ~~Redacted~~ Bank Account # ~~Redacted~~ on May 24, 2006 in the amount of \$100.00.

Based on the information provided pursuant to the Subpoena, the subscriber information obtained has been provided below:

Subscriber Name: ANDREA SMITH
Address: 229 S. 14th Avenue, Apt. 1
Maywood, IL 60153
(This address is the subscriber's service address)
Telephone #: (708) 369-2968
Type of Service: Residential High Speed Internet Service
Start of Service: March 30, 2006
Account Status: Active
IP Assignment: Dynamically Assigned
Account Number: 8798200010470727
E-mail User Ids: ~~its2eatz4@comcast.net~~ (Deleted) & ~~wookie91@comcast.net~~
Method of Payment: Statement sent to above address
(No credit card numbers or bank account numbers on file)

If I can be of further assistance, or if you have any questions regarding this matter, please feel free to call me at (856) 317-7214.

Respectfully,


Sharina Austin, Legal Analyst
Comcast Legal Response Center

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May 23 06 06:14p

Schiller Park Police

047 071 0465

p. 2

Schiller Park Police

FELONY MINUTE SHEET
FORM 101

Grand Jury Subpoena Request

BINDER MARGIN (DO NOT WRITE ABOVE THIS LINE)

(For State's Attorney Use)

MAY 2531

ASSISTANT STATE'S ATTORNEY:

Enter each occurrence here. In cases of multiple defendants indicate which defendant. If any, did not join in the occurrence. Also indicate dates of all demands for bail, and by whom the demands were made.

COURT: District #3, Rolling Meadows

I.R. NUMBER

DEFENDANTS

AGE

DATE OF ARREST

CHARGE

John/Jane Doe

Unk

720 ILCS 5/10-3(a)(3)

Computer Tampering

Date of offense

4/28/2006

Time of offense

0330 CT

Place

Cook County

Illinois

The facts briefly stated are as follows:

The defendant went online using Internet Service Provider (ISP) Comcast cable services, and accessed the computer network of Save-A-Life Foundation. During the listed dates and times, the person permanently deleted, removed, and/or altered hundreds of computer files critical to Save-A-Life's operations. On 1 May 06 at 2030-2031 hrs. MT, the defendant then accessed the email account of Carol Spitziri, President and Founder of Save-A-Life, without the knowledge or permission of Carol Spitziri. The person then used Ms. Spitziri's email account to forward the contents of Ms. Spitziri's email account to the email account melongo_anna-el@yahoo.com. On 2 May 06 at 2301-2302 hrs. MT, numerous Save-A-Life employees received emails from that Yahoo email account. Those emails included content from the previously mentioned forwarded emails of Carol Spitziri's email account. All of these incidents occurred on the Internet using the Internet Protocol (IP) address of 24.15.202.102 at the above listed times. The IP address of 24.15.202.102 belongs to Comcast cable company.

FILED GRAND JURY

MAY 7 9 2006

DATE

Items needed: The subscriber information to include name, address,

phone number status of the account, date the account was opened and/or closed, for the subject using the IP address of 24.15.202.102 on 28 APR 06, 1 MAY 06 and 2 MAY 06 at the above listed times.

Person addressed: Detective William Martin 9526 W. Irving Park Rd. Schiller Park, IL 60176

ASST. STATE'S ATTY.

DATE

(Do Not Write In This Space--For State's Atty. Use Only)

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

(b)(7)(C)

Comcast.
CONFIDENTIAL

Comcast IP Services
550 Centerville Road
Moorestown, NJ 08057
856.317.7272 Tel
856.317.7310 Fax

June 5, 2006

VIA FACSIMILE

Detective William Martin
Schiller Park Police Department
9526 W. Irving Park Road
Schiller Park, IL 60176
Fax: 847-671-9363

Re: Subpoena
Our File #: 1520619

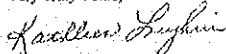
Dear Detective Martin:

The Subpoena dated May 25, 2006 with respect to the above-referenced matter has been forwarded to me for a reply. The Subpoena requests Comcast to produce certain internet subscriber account records pertaining to the following person: Annabel Melongo, 1218 East Long Valley Drive, Apt. 3A, Palatine, IL.

Based on the information provided pursuant to the Subpoena, we are unable to find any information responsive to the request.

If I can be of further assistance, or if you have any questions regarding this matter, please feel free to call me at 856.638.4022.

Very Truly Yours,



Kathleen Loughrin
Legal Response Center, Legal Analyst